

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
March 13, 2003

_____ ACTION/DECISION

___X___ INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Quality Control
- II. **SUBJECT:** Administrative and Consent Orders issued during the period December 16, 2002 through January 31, 2003
- III. **FACTS:** For the period December 16, 2002 through January 31, 2003, the Office of Environmental Quality Control issued 29 Consent Orders with a total assessed civil penalties in the amount of \$87,570. There were 8 Administrative Orders placed in force during this reporting period with assessed civil penalties totaling \$103,664.

“Previous Orders” as listed in this report, include the orders issued by Environmental Quality Control programs within the last five (5) years, unless otherwise specified.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
Hazardous Waste	0	0	1	\$ 4,350
Solid Waste	2	\$ 8,100	1	0
UST Mngt.	4	\$ 26,540	6	\$ 2,250
SUBTOTAL	6	\$ 34,640	8	\$ 6,600
Water				
Drinking Water	1	\$ 32,000	9	\$ 10,830
Water Pollution	1	\$ 37,024	4	\$ 16,640
SUBTOTAL	2	\$ 69,024	13	\$ 27,470
Air Quality	0	0	8	\$ 53,500
SUBTOTAL	0	0	8	\$ 53,500
TOTAL	8	\$103,664	29	\$87,570

IV. **ANALYSIS:** Two Administrative Orders by the Bureau of Land and Waste Management's Solid Waste Enforcement took effect during the reporting period with civil penalties totaling \$8,100. Underground Storage Tank Enforcement had four Administrative Orders take effect during the reporting period with civil penalties totaling \$26,540. Violations ranged from failure to demonstrate financial responsibility, failure to submit records to the Department upon request, and failure to pay annual tank registration fees.

The Bureau of Water's Drinking Water Enforcement had one Administrative Order take effect during the reporting period with a civil penalty of \$32,000. The Order resulted from the improper installation of eight domestic water wells by Respondent with problems that included improper grouting, lack of permanent identification tags, improper development, improper abandonment of a well, failure to submit records, and failure to pay well permitting fees.

Drinking Water Enforcement also issued an Emergency Order against Respondent Dowd Water Systems, Inc. in Lexington County, South Carolina, based on a finding that an imminent hazard existed that could result in a serious immediate risk to public health due to the lack of water supply necessary for the proper functioning of the sewage disposal systems. On January 30, 2003, Department staff discovered that the water storage tank had a crack in it causing water to leak. The Respondent turned off the water supply, stopping the flow of water to the customers. The water system serves eighteen taps and approximately twelve permanent residents. Under the Emergency Order, the Respondent was ordered to immediately provide water to the residents, immediately issue a written Boil Water Advisory, and to repair or replace the tank.

An Administrative Order by the Bureau of Water's Water Pollution Control Enforcement against Respondent Piney Grove Utilities, Inc. in Lexington County, South Carolina, took effect during the reporting period. The Order required the Respondent to pay a civil penalty of \$37,024 for failure to properly operate and maintain its WWTF in accordance with its permit.

The Bureau of Air Quality issued eight Consent Orders during the reporting period with civil penalties totaling \$53,500, including a Consent Order with the Department of Veterans Affairs for the Ralph H. Johnson Medical Center in Charleston, South Carolina, for a civil penalty of \$9,000. The Department of Veterans Affairs failed to submit a timely Title V Annual Certification and reports relating to its incinerator, and the late certification did not address all of the noncompliance issues.

Submitted by:

R. Lewis Shaw, P.E.

Deputy Commissioner for Environmental Quality Control

